

CITY OF MILFORD  
SPECIAL MEETING  
JULY 12, 2007  
MINUTES

A special meeting of the Mayor and Council of the City of Milford, Nebraska was held at the City Hall Office in said City on the 12<sup>th</sup> day of July 2007 at 5:15 pm. Present were: Mayor J. Elaine Plessel; Council members: Jeff Baker, Dean Bruha, Rick Fortune, Lyle Neal; Attorney Robert Blevens; City Clerk Jeanne Hoggins. Also present: Robert Anderson, Dale Hall, Chief Siebken and Nancy McGill with the press.

Notice of the meeting was given in advance thereof by posting in three public places; a designated method for giving notice, as shown by the Certification of Posting attached to these minutes. Notice of this meeting was given to the Mayor and all members of the Council and a copy of their acknowledgement of receipt of notice and the agenda is attached to the minutes. Availability of the agenda was communicated in the advance notice and in the notice to the Mayor and Council of this meeting. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public.

**CALL TO ORDER:** Mayor Plessel called the meeting to order at 5:15 p.m. Mayor Plessel publicly stated to all in attendance that a current copy of the Nebraska Open Meetings Act is available for review and is posted on the south wall of the meeting room at the City Hall Office.

**Introduction and Adoption of Resolution – Special Election, purchase property Lots 13, 14, 15 & 16 Block E, Davison & Culver’s Addition:** A motion was made by Fortune and seconded by Bruha to introduce resolution #431.

RESOLUTION NO. 431

WHEREAS, on April 30, 2007, the City of Milford, Nebraska, adopted Resolution No. 430 for the purchase of Lots 13, 14, 15 and 16, in Block E, Davison & Culver’s Addition to the City of Milford, Seward County, Nebraska, located at 319 1<sup>st</sup> Street, Milford, Nebraska, for use as a site for municipal purposes and/or as a site for a new municipal office building; and

WHEREAS, notice of the proposed purchase and right of remonstrance pursuant to Section Neb. State, section 17-953 et. Seq. was published in the Milford Times as required by law; and

WHEREAS, remonstrance petitions were duly filed with the Municipal Clerk within the time allotted by law; and

WHEREAS, the signatures on said petitions have been compared to signatures on the official voters registrations in the office of Seward County Clerk; and

WHEREAS, the remonstrance against the purchase of said real estate were by registered voters equal in number to more than fifteen percent of the registered voters of the city voting at the last regular municipal election held therein was filed with the governing body of the city; and

WHEREAS, the question of the purchase of said real estate shall be submitted to the voters of the city or village at a special election duly called for that purpose, and if the purchase is not approved, the property involved shall not then, nor within one year following the election, be purchased.

NOW, THEREFORE BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF MILFORD, NEBRASKA:

1. A special election of the City of Milford, Nebraska, shall be held on September 11, 2007 between the hours of 8:00 am and 8:00 pm upon the following proposition:

“SHALL THE CITY OF MILFORD, NEBRASKA purchase the following described real estate:

All of Lots 13, 14, 15 and 16, in Block E, Davison & Culver’s Addition to the City of Milford, Seward County, Nebraska, located at 319 1<sup>st</sup> St., Milford, Nebraska,

For the purchase price of \$55,000.00 for use as a site for municipal purposes and/or as a site for a new municipal office building.

\_\_\_\_\_ FOR the purchase of said real estate

\_\_\_\_\_ AGAINST the purchase of said real estate”

2. The City of Milford hereby requests that the County Clerk/Election Commissioner of Seward County, Nebraska conduct said special election to be held on September 11, 2007 and the Municipal Clerk is hereby directed to deliver a certified copy of this Resolution to said County Clerk/Election Commissioner more than 50 days before said election. The Municipal Clerk shall be responsible for the publication or posting of any required special notice of the submission of such matter.

Passed and adopted on July 12, 2007.

CITY OF MILFORD, NEBRASKA

Attest: \_\_\_\_\_

City Clerk

\_\_\_\_\_

Mayor

The following discussion was held: Fortune noted the system is working. There has been discussion held both for and against the purchase. Fortune mentioned that the issue at hand is not about a building but rather purchasing ground to move forward on a municipal building. The City has done their homework in researching several options and the choice to purchase 319 1<sup>st</sup> St. is the most feasible. Bruha agreed with Fortune and noted that several people had concerns about taking City Hall away from the downtown area. The Council and building committee took this into consideration when the option to purchase was presented to Brian Utter. Blevens asked if there was use for the building and ground after the purchase of 319 1<sup>st</sup> St. Bruha noted that we currently have equipment sitting outside and the current building could house that equipment until time when a municipal building could be built. Fortune expressed the Council's error in not informing the public well enough as to their intention in the purchase of the property. The property could be used as Bruha mentioned. Neal noted that the public will have another chance to speak on the "building" as this will also need to go to an election. Bruha noted the Council does not intend to build a Taj Mahal but simply a facility which will meet the needs of the municipality for years to come. It was mentioned to the Mayor and Council to wait and vote on this issue at the next general election in 2008. Bruha noted the option to purchase will expire prior to the next general election. Blevens stated in all fairness to the Council, a Public Hearing was held and only 2 people showed up. Dale Hall mentioned that he signed and presented the petition due to lack of information. Robert Anderson would like it noted that the 4 lots mentioned are each 25' wide totaling 100'. He also questioned Mayor Plessel regarding the purchase option of the ground south of the alley to the property being mentioned. She informed Mr. Anderson that an election would be held prior to any further purchases of real estate. Roll call vote: Fortune yes, Bruha yes, Baker yes, Neal yes. Motion carried.

**Appointments:** A motion was made by Neal and seconded by Baker to approve the Mayor's recommendation to appoint Kendall Hoggins to the Board of Adjustment Committee with a term beginning immediately and expiring February 2008, which at this time he could be reappointed for a 3 year term. Roll call vote: Neal yes, Baker yes, Bruha yes, Fortune yes. Motion carried.

A motion was made by Bruha and seconded by Fortune to approve the Mayor's recommendation to appoint Kelly Newton to the Board of Adjustment Committee with a term beginning immediately and expiring February 2008, which at this time he could be reappointed for a 3 year term. Roll call vote: Bruha yes, Fortune yes, Baker yes, Neal yes. Motion carried.

A motion was made by Baker and seconded by Neal to approve the Mayor's recommendation to appoint Doris Kunzie to the Webermeier Scholarship Committee for a 1 year term. Roll call vote: Baker yes, Neal yes, Bruha yes, Fortune yes. Motion carried.

**ADJOURNMENT:** A motion was made by Fortune and seconded by Bruha to adjourn the meeting. Roll call vote: Fortune yes, Bruha yes, Baker yes, Neal yes. Motion carried and meeting adjourned at 5:35 pm.

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Jeanne Hoggins, City Clerk

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J. Elaine Plessel, Mayor

#### CERTIFICATION

I, the undersigned, City Clerk of the City of Milford, Nebraska, hereby certify that the foregoing is a true and correct copy of proceedings had and done by the Mayor and Council of July 12, 2007 that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the office of the City Clerk; that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the said minutes from which the foregoing proceedings have been extracted were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meetings of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

(SEAL)

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Jeanne Hoggins, City Clerk